

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 23-cr-31-wmc

HRIDINDU SANKAR ROYCHOWDHURY,

Defendant.

MOTION TO DISMISS

Hridindu Sankar Roychowdhury, by counsel, files this pretrial motion to dismiss based on the unconstitutionality of the federal arson statute—namely, it exceeds Congress’s commerce clause power and violates the Tenth Amendment. This argument is foreclosed by the Seventh Circuit’s decision in *United States v. Johnson*, 42 F.4th 743, 755 (7th Cir. 2002). But the defense is preserving the issue.

Dated at Madison, Wisconsin, this 6th day of June, 2023.

Respectfully submitted,

Hridindu Sankar Roychowdhury, Defendant

/s/ Joseph A. Bugni

Joseph A. Bugni

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